

BEFORE THE GROWTH MANAGEMENT HEARINGS BOARD
WESTERN WASHINGTON REGION
STATE OF WASHINGTON

WILLIAM H. WRIGHT,

Petitioner,

v.

SAN JUAN COUNTY,

Respondent.

Case No. 14-2-0005

**DETERMINATION ON MOTION TO
DISQUALIFY (BOARD MEMBER
CARTER)**

The Petitioner in the above referenced matter, William H. Wright, has filed a motion to disqualify me for cause from hearing this case. I will respond to possible reasons for disqualification under WAC 242-03-570. That rule refers to disqualification for bias, prejudice, interest, or any other cause as provided in RCW 34.05. I have considered the Growth Management Hearings Board's Code of Ethics, RCW 34.05.425, and the statute governing Ethics in Public Service, chapter 42.52 RCW. Following my analysis of these statutes, I can state without hesitation there are no reasons for my disqualification.

Mr. Wright's motion references my previous positions as an Olympia City Councilwoman, an adjunct college professor, and my employment with the National Audubon Society. RCW 36.70A.250(1) requires a board member to have experience in land use law or land use planning. My past positions cited by Mr. Wright gave me experience and further understanding of both topics. Further, this statute requires that "[a]t least three members of the board shall have been a city or county elected official, one each residing respectively in the central Puget Sound, eastern Washington, and western Washington regions." I fulfill the statutory requirement because at least one board member from Western Washington must be a former city or county elected official. The fact that I was on the City Council at the time Olympia adopted its first comprehensive land use plan

1 gives my role as Board Member even more credence as I understand the difficult decisions
2 elected officials must make about economic development, infrastructure, environmental
3 protect, property rights and public process. As for my employment by the Audubon
4 Society, I am not now an employee of Audubon, a volunteer for Audubon, nor am I on an
5 Audubon board. Finally, in accordance with RCW 36.70A.270(3), I have not been a
6 candidate for or hold any other public office or trust, or engage in any occupation or
7 business interfering with or inconsistent with my duty as a Board Member. RCW 34.05.425
8 does not apply to my role on the Board because I am not the Presiding Officer for this case.
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10 Having considered Mr. Wright's contention that I be disqualified from the case, I
11 conclude I have no bias, prejudice, interest, or any other cause for which an administrative
12 law judge is disqualified. Consequently, I decline to recuse myself from service in Case
13 No. 14-2-0005.
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15 DATED this 4th day of April, 2014.
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Nina Carter, Board Member
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